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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,331	12/21/2000	Thomas Hagan	84415.4008	1295

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EXAMINER

LANIER, BENJAMIN E

ART UNIT PAPER NUMBER

2132

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/747,331

Applicant(s)

HAGAN ET AL.

Examiner

Benjamin E Lanier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 80 and 81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 80 and 81 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed 20 September 2005 amends claim 80. Applicant's amendment has been fully considered and is entered.

### ***Response to Arguments***

2. Applicant's arguments, filed 20 September 2005, with respect to the Gennaro reference have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Herz, U.S. Patent No. 5,754,938.

### ***Claim Objections***

3. Claim 80 is objected to because of the following informalities: Lines 8 and 9 each have a claimed first database. It is believed the amended section on line 9 should read "as an index to said first database." Appropriate correction is required.

4. Claim 81 objected to because of the following informalities: Lines 9 and 10 are identical limitations, which is believed to be a mistake. Appropriate correction is required.

5. Claim 81 is objected to because of the following informalities: Line 12 recites "preforms", which is believed to be a minor spelling error of "performs". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 80, 81 are rejected under 35 U.S.C. 102(b) as being anticipated by Herz, U.S.

Patent No. 5,754,938. Referring to claim 80, Herz discloses a pseudonymous system for customer identification wherein users create profiles that contain certain confidential information (Abstract, Col. 31, lines 20-31), which meets the limitation of prompting a user for the user's personal identifier. Pseudonyms are created so that the service provider can communicate with the user and build and accumulate records of the user's preferences over time, while at the same time remaining ignorant of the users' true identities (Col. 31, lines 48-53), which meets the limitation of determining a first anonymous identifier from information derived from the user's personal identifier. The user makes and transmits a request, which includes the user's pseudonym, to a server for information (Col. 38, lines 50-57). The server receives the request, separates the pseudonym from the request, and indexes the pseudonym to the server's database to retrieve the corresponding record (Col. 39, lines 4-8), which meets the limitation of accessing data associated with the user stored in a first data base using the first anonymous identifier as an index to a first database. The server authenticates the user request using information from the corresponding record (Col. 39, lines 9-16), which meets the limitation of authenticating the user using the data associated with the user accessed in said first database using the first anonymous identifier. If authenticated, the server forwards the request on to a second server that uses credentials from the first server's database to validate the user with respect to its own information (Col. 39, lines 17-41), which meets the limitation of identifying a second anonymous identifier from information derived from the user's personal identifier if the step of authenticating is positive, and using the second identifier as an index to a second database

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distinct from said first database to access personal information associated with the user stored in said second database.

Referring to claim 81, Herz discloses a pseudonymous system for customer identification wherein users create profiles that contain certain confidential information (Abstract, Col. 31, lines 20-31). Pseudonyms are created so that the service provider can communicate with the user and build and accumulate records of the user's preferences over time, while at the same time remaining ignorant of the users' true identities (Col. 31, lines 48-53). A server generates these pseudonyms during a registration step (Col. 37, lines 16-20), which meets the limitation of providing the user's personal identifier to a first server computer, said first server computer performing the step of determining the first anonymous identifier. The user makes and transmits a request, which includes the user's pseudonym, to a server for information (Col. 38, lines 50-57). The server receives the request, separates the pseudonym from the request, and indexes the pseudonym to the server's database to retrieve the corresponding record (Col. 39, lines 4-8), which meets the limitation of providing the first anonymous identifier to a second server computer, said second server computer performing the steps of accessing data from said first database. The server authenticates the user request using information from the corresponding record (Col. 39, lines 9-16). If authenticated, the server forwards the request on to a second server that uses credentials from the first server's database to validate the user with respect to its own information (Col. 39, lines 17-41). Herz discloses that the pseudonym generation steps can be repeated for each proxy server which the user communicates (Col. 37, lines 54-57), and that each server may require separate pseudonyms (Col. 32, lines 52-65). Therefore, when the second server communicates with the user, a different pseudonym will need to be generated for that

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server, which meets the limitation of authenticating the user, said second server computer further providing a positive indication to the first server computer further providing a positive indication to the first server computer if the user is successfully authenticated, wherein in said first server computer performs the step of determining the second anonymous identifier in response to a positive indications from the second server computer further providing the second anonymous identifier to a third server computer, said third server computer performing the step of accessing personal information associated with the user from said second database.

### *Conclusion*

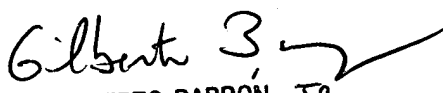
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E. Lanier whose telephone number is 571-272-3805. The examiner can normally be reached on M-Th 7:30am-5:00pm, F 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Benjamin E. Lanier



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